

REMARKS

Claims 1-3, 5-19, and 21-43 have been canceled. Claims 4, 20 and 44 have been amended to independent claim form.

Objection to the claims

Claims 4, 20, and 44-46 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Claims 4, 20, and 44-46 should be allowed because claims 4, 20, and 44 have been amended to independent form, and claims 45-46 depend on claim 44.

Rejection under 35 U.S.C. § 102(a)

Claims 26-27 and 37-43 have been rejected as anticipated by Hoffmaster et al., *Emerging Inf. Diseases*, 2002;8(10):Suppl.1-12. Claims 26-27 and 37-43 have been canceled. Thus, this rejection should be withdrawn.

Rejections under 35 U.S.C. § 103

1. Claims 1, 3, 5-9, 11-15, and 22-24 have been rejected as obvious over Hoffmaster in view of German, *Water and Science Technology*, 2002;46:191-198. Claims 1, 3, 5-9, 11-15, and 22-24 have been canceled. Thus, this rejection should be withdrawn.

2. Claim 29 has been rejected as obvious over Schlimme et al., *App Environ Micro*. 1999:2754-2757. Claim 29 has been canceled. Thus, this rejection should be withdrawn.

3. Claims 32-34 have been rejected as obvious over Schlimme in view of Weinbauer, *App. Environ. Micro.*, p. 3776-3783 (1998), and further in view of Agarwal, et al., *Current Sciences*, 83:697-699 (2002). Claims 32-34 have been canceled. Thus, this rejection should be withdrawn.

4. Claim 34 has been rejected as obvious over Schlimme in view of Weinbauer. Claim 34 has been canceled. Thus, this rejection should be withdrawn.

5. Claims 35 and 36 have been rejected as obvious over Schlimme in view of Weinbauer and Agarwal. Claims 35 and 36 have been canceled. Thus, this rejection should be withdrawn.

CONCLUSION

This amendment is believed to place the application in immediate condition for allowance. It is respectfully requested that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining that the Examiner believes can be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: July 28, 2009

Respectfully submitted,

By 

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